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Laws relating to Fair
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Laws Relating to Fair Grounds

Compiled by State Law Library
Albany, New York

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Laws Relating to Fair Grounds

Laws of the various states and territories of the UNITED STATES, relating to the prohibition of *gambling* and *obscene and immoral shows* on *fair grounds*.

(Only specified legislation of the subject is noted. Laws *generally* prohibiting gambling or immoral exhibitions are not included, unless fairs are particularly mentioned therein. This compilation does not include prohibitions as to intoxicating liquors, unless same are incidentally a part of law noted.)

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LAWS RELATING TO FAIR GROUNDS

Alabama

Code of 1907 (Political), sec. 72:

Selling or granting privileges on grounds of agricultural fairs, to wheels of fortune or any game of chance, or any device inimical to laws of the state, forbidden.

Alaska

No laws found.

Arizona

Revised statutes of 1913, sec. 4538:

State Fair Commission given exclusive jurisdiction over grounds, etc., of state fair and authorized "to do all things which by said commission may be considered proper for the conduct of said fair, not otherwise prohibited by law."

Arkansas

No laws found.

California

No laws found.

Colorado

Laws of 1915, ch. 81:

Board of county commissioners may appoint persons to conduct county fairs, or may rent fair grounds to corporation for

fairs and "also to conduct races, sports and other entertainments usually given at county fairs."

Connecticut

General statutes of 1902, sec. 4401, as amended by Laws of 1905, ch. 79:

No part of any building or grounds within the enclosure in which is held the fair of any incorporated agricultural society shall be leased for the sale of spirituous or intoxicating liquors, the running of wheel-pools, so-called, or the unlawful practice of any games of chance, or immoral shows, nor shall any right or privilege be granted to any person to carry on such sale, games, or shows within such enclosure during the continuance of such fair.

Delaware

No laws found.

District of Columbia

No laws found.

Florida

Laws of 1917, ch. 7387:

Provides for creation of corporations to hold state fairs or expositions; sec. 11 provides: Nothing in this act shall be held or construed to authorize or permit any corporation organized hereunder to carry on, conduct, supervise, permit or suffer any gambling or game of chance, lottery, betting or other act in violation of the criminal laws of the state; forfeiture of charter is penalty for violation of this act.

Georgia

No laws found.

Hawaii

Laws of 1917, ch. 20:

"Fair Commission of Hawaii" established with jurisdiction over fairs; authorized to sell concessions and space in fair grounds and to provide for accommodation and maintenance of all exhibits, etc.

Idaho

Revised codes of 1908, v. 1, ch. 16, sec. 3040:

County aid provided for agricultural fair associations or like corporations, *provided* none of the moneys so appropriated shall be used in defraying expenses of races of any character, nor for the payment of purses for said races.

Laws of 1917 ch. 149:

Boards of county commissioners are given power to regulate use of public fair grounds and to lease same for fairs or exhibition purposes upon such terms and conditions as in their judgment shall best promote the holding of such public fairs or exhibitions.

Illinois

Statutes annotated 1913, criminal code, par. 3741:

Bookmaking and pool selling prohibited generally, *except* that provisions relating thereto shall not apply to the actual inclosure of fair or race track associations that are incorporated under the laws of this state, during the actual time of the meetings of said associations, or within twenty-four hours before any such meetings.

Same, par. 207 :

Before appropriation from Department of Agriculture is payable to any county fair, sworn statement must be filed that at such fair all gambling and gambling devices of whatsoever kind and sale of intoxicating liquors have been prohibited and excluded from grounds and from all adjacent grounds under authority and control of county fair or agriculture society.

Indiana

Burns annotated statutes of 1914, sec. 2467 :

Unlawful for any officer, manager, director or trustee of any county fair, agricultural society or stock association, to rent, lease or donate any part of premises or grounds, or any stall, booth or tent to any persons, company or society, to be used for the purpose of carrying on any game of chance or skill or any scheme, lottery or drawing, with dice, cards, ball or wheels or any other device for the purpose of wagering money or anything of value, or upon the result of which any money or other thing of value shall be wagered. Penalty for violation, fine of not less than \$25 nor more than \$100.

Iowa

Supplement to code, 1907, sec. 1661a :

No state aid to county or district fairs unless affidavit from officers of association that no gambling devices or other violations of law were permitted.

Code of 1897, sec. 1664 :

President of any agricultural society may appoint peace officers . . . who may seize all intoxicating liquors and all tools or other implements used in gambling, and remove or cause to be removed all shows, swings, booths, tents . . . or other things that may obstruct by collecting persons around or otherwise, any thoroughfare leading to the enclosure in which agricultural fair is being held.

Kansas

General statutes of 1915, sec. 10352:

Any person who shall sell pools, engage in games of chance or gambling devices of any kind, or in the sale of intoxicating drinks, upon any fair grounds in this state, during the holding of any fair, and any officer of fair association who shall authorize or permit such pool-selling, gambling or the sale of intoxicating drinks as aforesaid, shall be fined not less than \$25 nor more than \$100 for each offense.

Laws of 1917, ch. 5, sec. 10:

No state appropriation shall be available if any gambling device or gambling of any kind shall be permitted upon the grounds of either fair covered by this act (Kansas state fair at Hutchison and at Topeka).

Kentucky

Kentucky state fair created by act of 1906, p. 385. Management and control under jurisdiction of state board of agriculture, forestry and immigration.

Louisiana

No laws found.

Maine

Revised statutes of 1917, ch. 34, sec. 18:

All agricultural societies receiving state aid shall cause the prohibitory liquor law to be enforced on all grounds over which they have control, and not allow immoral shows, gambling in any form or games of chance on said grounds.

Sec. 19. Before payment of any state aid, a certificate must be presented from commissioner of agriculture showing that provisions in regard to immoral shows, gambling and sale of intoxicating liquors have been strictly complied with.

Maryland

Annotated code of 1914, sec. 218:

Not unlawful in any county (other than Baltimore City) for any person to make a pool or a book or to bet within the ground of any agricultural society upon the result of any trotting, pacing or running race of horses which shall be held within the same grounds . . . provided such grounds are licensed in the manner prescribed.

Massachusetts

Revised laws of 1902, ch. 124, sec. 22:

No person shall engage in gaming or horse racing or exhibit, show or play during the time of holding a cattle show or agricultural fair, or engage in pool selling, at or within half a mile of the place of holding such fair, etc. (regular business within prescribed limits not required to suspend).

Michigan

No laws found.

Minnesota

General statutes of 1913, secs. 6505-6507:

State agriculture society may license and regulate all shows, exhibitions, performances and privileges on its fair grounds, and summarily stop the same if deemed offensive to good morals or contrary to law.

Any person who shall exhibit or perform on fair grounds any indecent, obscene or immoral play or other representation shall be guilty of a misdemeanor. If any show or exhibition licensed shall prove to be indecent or immoral, the governing board shall close the same and license fee paid for such privilege and any money paid in connection therewith shall be forfeited to the society.

Secs. 8738-8739:

Officer of any fair or fair ground, with or without warrant, shall arrest any person found in the act of committing any of the offenses mentioned in sec 8737 (swindling by cards or other devices or tricks) or any person whom he has good reason to believe has been guilty of any such offense. Officer of fair grounds shall eject any person known to him, or whom he has good reason to believe, to be a three-card monte man, or who offers to wager or bet money or other valuable thing upon what is commonly known as "three-card monte," or on any trick or game with cards or other gambling device, and for such ejection, no action for damages shall be maintained.

Mississippi

No laws found.

Missouri

Revised statutes of 1909, sec. 681:

Board of directors of state fair have power to make all rules for proper control and conduct of state fair. Is forbidden, directly or indirectly, to permit any gambling devices of whatever nature to be operated on the grounds nor to permit intoxicating liquors to be sold thereon.

Sec. 698: At any fair, show or exhibition held by any incorporated agricultural or mechanical society . . . every person guilty of disorderly conduct, or such conduct as may interrupt or be prejudicial to the interests of such fair or exhibition whatever, within enclosure, or within 200 yards thereof, shall be liable to immediate arrest.

Montana

Revised code, 1915 supplement, sec. 1320:

Board of directors of state fair have full control and management of all matters of administration and shall prepare rules for conduct and management of the fair.

Nebraska

Revised statutes of 1913, sec. 13:

No person shall be permitted to sell intoxicating liquors or exhibit or conduct indecent shows or dances, or be engaged in any gambling, or other games of chance, or horse racing either inside the enclosure where any state, district or county agricultural society fair is being held, or within

forty rods thereof, during the time of holding such fair. Penalty for violation of act, not less than \$5 nor more than \$50: *Provided* that trial of speed of horses under direction of the society shall not be included in the term horse-racing: provided also, upon proof of violation this section, inside the enclosure, amount of money appropriated shall be withheld from any money appropriated for ensuing year.

Laws of 1913, ch. 111:

No person, firm, company or corporation engaged in the business of furnishing amusement or staging exhibitions for gain in this state at any . . . street fairs, carnivals or at any gathering of like nature, shall show or stage either in the open air, tent or any building, any immodest or immoral act, scene or play or any immodest or immoral dance, song or dialogue . . . nor exhibit any wild-man or wild-woman shows or exhibitions or any person physically or mentally deformed (except in interest of medical science).

Laws of 1917, ch. 168:

County fair established under supervision of "County Fair Board," who may employ such persons as it deems necessary for the proper management of the fair.

Nevada

No laws found.

New Hampshire

No laws found.

New Jersey

Compiled Laws of 1910, vol. 2, p. 2276:

Directors of every fair association shall have police jurisdiction upon grounds of association and for distance of one-quarter of a mile from boundaries of grounds: duty of directors to suppress sale of intoxicating liquors by parties not regularly licensed; and to prohibit every species of gambling and breach of peace or laws of the state on said grounds and within said limits: may appoint special police officers for this purpose.

New Mexico

Annotated statutes of 1915, sec. 5008:

State fair commission has entire jurisdiction over management of state fair; power to lease stall, stand and restaurant sites; give prizes, arrange entertainments and do all things which by said commission may be considered proper for the conduct of said fair, not otherwise prohibited by law.

New York

Penal law, sec. 971, sub. 3:

Unlawful to keep or use any table, cards, dice or any other article or apparatus whatever, used or intended to be used in playing any game of cards or faro, or other game of chance, upon which money is usually wagered, at any of the following places:

3. Within the distance of one mile from the grounds . . . upon which any public fair, exhibition, exercise or meeting is held in the open air. Violation of this section is a misdemeanor.

Agricultural law (Laws of 1909, ch. 9), sec. 310:

Any agricultural society or club which shall knowingly permit any immoral, lewd, obscene or indecent show or exhibition, use or knowingly permit the use of any gambling device, instrument or contrivance in the operation of which bets are laid or wagers made, wheel of fortune, or playing or carrying on of any game of chance upon grounds used by it during annual fair or exhibition, shall thereupon forfeit its right to any state aid. Officers of association must certify that none of these things have been done before state aid may be paid over.

North Carolina

Pell's Revisal of 1908, sec. 3867:

State appropriation for agricultural fairs shall not be made as directed unless all games of chance shall be excluded from the grounds of the corporation.

North Dakota

No laws found.

Ohio

Page & Adams annotated code, sec. 1085:

State board of agriculture shall have custody of the fair grounds at Columbus and shall use the same for agricultural purposes and may permit the use of same by persons, firms, associations or corporations for such exhibition purposes and under such conditions as the board may from time to time prescribe.

Oklahoma

Laws of 1911, ch. 118, sec. 2:

County fairs receive an appropriation from counties for payment of premiums: provided, that no part of said appropriation shall be used or paid for exhibitions of speed or races.

Laws of 1915, sec. 12:

County fair association shall have exclusive rights to all stand rights and privileges of township and county fairs . . . provided that no money appropriated under this act is used to defray any expenses or cost of races, horse shows or amusements.

Laws of 1917, ch. 146:

Board of directors have control over state fair, and make all rules, regulations, etc., necessary and suitable for the conduct of annual exhibition . . . not inconsistent with the constitution and laws of this state . . .

Oregon

Laws of 1913, ch. 146:

County fair board is given exclusive jurisdiction of county fair grounds and is entrusted with entire business management and other matters relating to fair. County treasurer can appropriate certain amounts for fair, provided, that no part of said funds shall be awarded as premiums or prizes for trials of speed.

Board of state fair directors have full control over state fair . . . entire direction of all rules, meetings and exhibitions.

Pennsylvania

Laws of 1907, page 702, provided that no appropriation should be paid to agricultural association which permitted gambling devices or gambling in any form, upon premises of association during annual exhibition: but this act was *repealed* by

Laws of 1917, act No. 412, sec. 8.

This act provides that state aid shall be given agricultural associations, but that no association shall receive from the Commonwealth a greater sum than that paid by the association as premiums on exhibits, exclusive of premiums paid for trials of speed.

Porto Rico

Laws of 1916, act No. 28:

Abolished the Insular Fair Board, which was created for holding annual exhibitions of agricultural and productive industries.

Rhode Island

Laws of 1917, resolution No. 53:

Appropriates certain sums in state treasury for use of certain agricultural societies: provided, that no part of appropriation shall be paid to any society where gambling or sale of intoxicating liquors are permitted on the premises or grounds owned or controlled by such society.

Philippine Islands

No laws found.

South Carolina

No laws found.

South Dakota

Laws of 1903, ch. 218, sec. 14:

No person shall keep any shop, booth, tent, etc., for sale of spirituous liquors, nor engage in any gambling at or within one-half mile of the place where the state fair, or any agricultural, horticultural or mechanical, county or district fair is being held. Violation of act is misdemeanor; fine not less than \$5 nor more than \$100.

Tennessee

Shannon's code of 1917:

Statute prohibiting gambling generally under sec. 6224, which provides further that it shall be lawful for every person, upon complying with the rules of public fairs in the state, to enter and contend for any and all premiums, as may be offered by the directors of public fairs in the state.

Sec. 3038, provides that it is unlawful to sell liquor within one-half mile of enclosure around fair grounds, during the time of fair, without consent of Board of Directors.

Texas

No laws found.

Utah

No laws found.

Vermont

Public statutes, sec. 5946:

Betting on races forbidden, except that agricultural societies, corporations and associations authorized by law to hold public fairs are exempt from provisions of act.

Laws of 1915, act No. 19:

Act creating state fair commission provides that no sum appropriated shall be allowed to any fair unless there is sworn statement made by superintendent or secretary of fair that no gambling establishments or obscene exhibitions have been licensed by officers of such fair to operate on grounds.

Virginia

Code of 1904, sec. 3818c:

Act to prevent gambling or making books or pools is not to be construed to prevent agricultural (or other) societies from offering a purse or premium at such trials of speed of animals or beasts as may be held by them.

Washington

No laws found.

West Virginia

Code of 1913, sec. 5330:

Forbids trafficking in intoxicating liquors at or within one mile of fair.

Sec. 5331:

Business of horse trading upon highways or roads within one mile of fair grounds forbidden.

Wisconsin

Supplement to statutes of 1898, vol. 3, sec. 1463, as amended by the laws of 1913, ch. 496:

State aid to agricultural societies and associations for annual fairs providing sworn

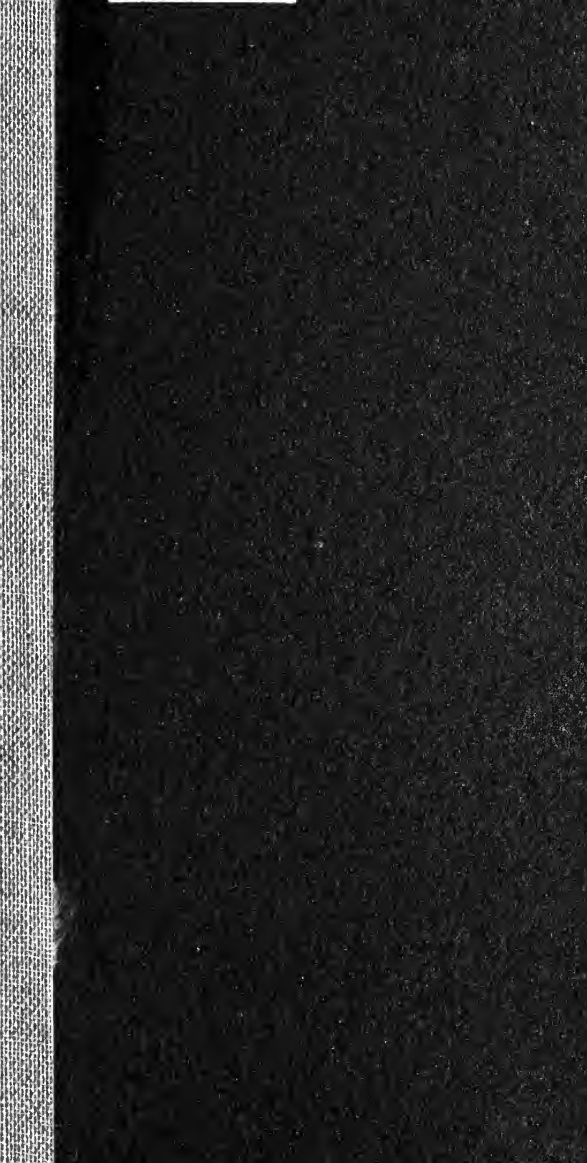
statement is submitted that (among other things) at such fair, all gambling devices whatsoever; sale of intoxicating liquors and exhibitions of an immoral character, have been prohibited from fair grounds and from adjacent grounds.

Wyoming

Compiled statutes, 1910, sec. 722:

Board of state fair commissioners shall not permit, directly or indirectly, any gambling device of whatsoever nature to be operated on fair grounds, nor permit any unlawful betting, nor any intoxicating liquors to be sold thereon.





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